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정치학석사학위논문

Defending Deliberation for a Sustainable Democracy

**- A Critical Assessment of the Debates on
Deliberative Democracy-**

지속가능한 민주주의를 위한 토의제도

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Abstract

Defending Deliberation for a Sustainable Democracy

- A Critical Assessment of the Debates on Deliberative Democracy -

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The main purpose of this thesis is to explore dynamic discussions on deliberative democracy and to suggest a feasible deliberative system. In contemporary societies, democracy is considered as an ideal system of government. However, sustainability of democracies is threatened by increasing social fragmentation and political alienation. In order to overcome these situations, political theorists and practitioners try to adopt deliberative governance.

Starting from normative justification, the recent trend of deliberative democracy begins to receive broad coverage in practical discussion of democracy. However, recently, many scholars cast doubt on the impact of deliberation because they get unconnected and even undesirable results from empirical studies on deliberation. In order to defend deliberation, the

complementary relationship between deliberation and the current mechanism should be clearly stated. I think the success of establishing pragmatic and beneficial deliberative system depends on how we set priorities in democratic system and specify the roles of deliberation. Amy Gutmann and Dennis Thompson do not suggest a concrete way of institutionalizing deliberation. However, based on the Gutmann and Thompson's deliberative democracy, I think we can suggest a useful guideline for deliberative system.

First of all, I explore the efficacy of deliberation. According to Gutmann and Thompson, a purpose of deliberation is not to find a common goal but to promote mutual respect and produce considered opinions. In reality, people tend to avoid deliberation because they think it leads to polarization. However, the real problem is rejecting to solve conflicts. Continued deliberation of clarifying preferences may lead to find mutual benefits. In long-run, deliberation will promote social harmony. Also, in order to build a deliberative system, we have to consider the relationship between deliberation and other forms of political activity. Deliberative element cannot have the same importance to all phases of a political decision process. Therefore, deliberative institutions should be supported by 'compromising mindset,' 'deliberation within,' and 'silent yielding.'

Secondly, I examine whether deliberation process has to manage moral conflict or interest conflict. According to Gutmann and Thompson, moral conflict is a fundamental problem of democracy. However, it does not exclude interest conflict. It is important to build a deliberation stage that any interest should be stated.

Lastly, I examine the deliberative competency of citizens. Deliberative democrats used to distinguishing between elites' deliberation and lay people's deliberation. However, I suggest that we should create a joint deliberation between experts and lay citizens. In this kind of deliberation, elites and lay citizens can check each other. Although their effects are not proven by measurement, number of forums are increasing and forum processes are evolving. People learn how to deliberate from deliberation.

Based on the Gutmann and Thompson's deliberative democracy, I believe that we can suggest a useful guideline for establishing a deliberative system, which incorporates external and internal, micro and macro, elite and lay public deliberations with other forms of political activity.

Keyword : Deliberation, deliberative democracy, Democracy and Disagreement, middle democracy

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I. Introduction: Why Deliberative Democracy?

The aim of this paper is to explore dynamic discussions on deliberative democracy and suggest a feasible deliberative system. Democratic theorists have tried to embrace a deliberative process in order to make democracy more sustainable. However, recently, many scholars cast doubt on the impact of deliberation because they get unconnected and even undesirable results from empirical studies on deliberation. In order to defend deliberation, the complementary relationship between deliberation and the current mechanism should be clearly stated. I think the success of establishing a pragmatic and beneficial deliberative system depends on how we set priorities in democratic system and specify the role of deliberation. I suggest that Amy Gutmann and Dennis Thompson's deliberative democracy should be a guiding notion for institutionalizing deliberative systems.

In contemporary societies, democracy is considered as an ideal system of government. However, sustainability of democracies is threatened by increasing social fragmentation and political alienation. Many scholars argue that democratic institutions have become an instrument of political

faction and a place for competing private interests. Some people say that the current electoral process is modeled on the analogy of the market. Like producers, politicians and parties formulate their positions and devise their strategies in response to the demand of voters.¹ For example, Twain (2007) points out that the U.S. Congress and state legislatures are largely incapable of enacting sound public policy for the public interest because the current elections are dominated by big money and special interest.² In order to overcome these situations, political theorists and practitioners try to adopt deliberative governance.

Democracy that considers deliberative democracy as a way of life is strong democracy. Elstub and McLaverty (2014) say that deliberative democracy is very much the zeitgeist. Deliberative democracy suggests a new democratic paradigm. It affirms the need to justify decisions made by citizens.³ In other words, it emphasizes transformation and citizen empowerment on the political process. Starting from normative justification, the recent deliberative democracy scholars try to cover various practical discussions.

¹ Gutmann and Thompson, *Why Deliberative Democracy?*, p. 14.

² Twain (2007) argues that elections should be reconstructed entirely to minimize the interests of special interests, and elicit values.

³ Gutmann and Thompson, *Why Deliberative Democracy?*.

Academics' interest in deliberative democracy has been intense since John Rawls and Jürgen Habermas advocated it. Rawls and Habermas debate the normative justifications of deliberative democracy. John Rawls suggests a “well-ordered” constitutional democratic regime. In *Political Liberalism*, he explores the legitimate use of political power in a democracy and shows how unity may be achieved despite the various worldviews that free institutions allow. He argues that the use of political power must fulfill a criterion of reciprocity.⁴ Rawls suggests that individuals should perform a thought experiment under the condition, in which a veil of ignorance obscures personal interest. Rawls considers his work makes a practical contribution to solving the long-standing conflict between liberty and equality.⁵

Habermas suggests a new paradigm of law that goes beyond dichotomies

⁴ “Our exercise of political power is fully proper only when it is exercised in accordance with a constitution the essentials of which all citizens as free and equal may reasonably be expected to endorse in the light of principles and ideals acceptable to their common human reason (Rawls 1993, p137).”

⁵ Rawls suggests four roles of political philosophy. The first role is practical. Political philosophy can find a base for reasoned agreement in a society where sharp divisions threaten to lead to conflict. The second role of political philosophy is to help citizens to orient themselves with their own social world. The third role is to describe workable political arrangements that can gain support from real people. The fourth role of political philosophy is reconciliation.

between liberals and civic republicans. His early work on deliberative democracy shows a commitment to consensus decisions, which would be based on free and equal deliberation among participants.⁶ Later, he develops a two-track approach. He argues that the public opinion that made by the deliberation of the people in the public sphere should feed policy process.⁷ One of the important contributions made by the first generation of deliberative democrats is that they thought that the exchange of reasons would result in preference change and consensus. However, critics argue that they fail to take account of the complexity of contemporary societies. Many are dissatisfied because Habermas's emphasis on the transcendental grounds of reason appears overly abstract.⁸ Habermas's account neglects the role of social movements. It reflects an inattention to agency.⁹

Bohman (1996) and Gutmann and Thompson (1996) take the dynamics among social conditions seriously. They suggest a form of democracy more practically achievable. Bohman (1996) develops a realistic model of deliberation by analyzing several problems that deliberative democracy faces. According to him, the challenge for democratic theory is to identify

⁶ Habermas, *The Theory of Communicative Action* Vol.1, 2.

⁷ Habermas, *Between Facts and Norms*.

⁸ Chriss, "Review essays of Jurgen Habermas's *Between Facts and Norms*."

⁹ Calhoun, "Habermas and the Public Sphere."

the essential norms of democratic polity, which can be realized in respect to the social facts, such as cultural pluralism, social inequalities, social complexity, and community. He suggests public deliberation is convincing because of its persuasive effects offered by the various lines of participants' arguments. In order to achieve deliberative success, he claims that citizens need to perceive that they have enough of an impact on deliberations and continue to cooperate. But this idea simply requires participants to be equally situated with respect to one another and to perceive that they are acting autonomously. In this regard, critics wonder whether this is the same as achieving a rational agreement between free and equal persons.¹⁰

Deliberative democracy has been discussed rigorously until early 2000s. Gutmann and Thompson's *Democracy and Disagreement* contributed significantly to these debates. Gutmann and Thompson (1996) attempt to diverge from the theories of Habermas and of Rawls.¹¹ They argue that deliberative democracy includes both the procedural and constitutional values of conventional theories of democracy. Gutmann and Thompson's theory takes moral disagreement seriously for the principles and practices of democracy. According to Gutmann and Thompson, moral disagreements

¹⁰ Owen, "Review Essay: Deliberative democracy."

¹¹ Elstub, "The third generation of deliberative democracy."

cannot be settled at the beginning of the procedural process or at the judgment by constitutional referees. Proceduralists assume that if citizens agree some rule of game, moral disagreements can be removed from the political agenda. Then, what remains is political bargaining. For Constitutionalists, they assume that citizens agree on moral value and, therefore, have no more to say about moral disagreements. However, in reality, there are reasonable moral disagreements about what procedures democracy requires, what fundamental value citizen holds, and how both should be interpreted (Gutmann and Thompson 2004, pp. 26 – 29).

In response to Gutmann and Thompson's deliberative theory, *Deliberative Politics* devoted entirely to discussions of *Democracy and Disagreement*.¹² It includes penetrating critiques on Gutmann and Thompson's conception of deliberative theory. In response to these critiques, Gutmann and Thompson (2004) point out several questions towards the empirization of deliberative

¹² *Deliberative Politics: Essay on Democracy and Disagreement* (1996) suggests critical essays on the themes of *Democracy and Disagreements*. According to "Introduction" written by Stephen Macedo, the critical essays that follows fall into two parts. The first groups thinks that Gutmann and Thompson put too much emphasis on the deliberative components of democratic politics. The second group of essays concede that deliberation is an appropriate response to the enduring fact of moral conflict. They suggest that Gutmann and Thompson's version of deliberation needs to be reformulated or that deliberation should be taken further.

democracy.¹³ As an effort to make deliberative democracy survives and even prospers, Gutmann and Thompson keep trying to broaden and reframe some of these ideas.

Lately, debates on deliberative democracy have taken an ‘empirical turn’ (Dryzek, 2008). Deliberative theory has matured by empirical experiments and experience of deliberation practitioners. The empirical evidence on deliberative democracy gives a sense of what may work. There are various case studies on deliberative opinion polls and citizen assemblies. Smith and Wales (2000), Leib (2004), and Parkinson (2006) suggest the supplementation of existing structures with deliberative mechanisms such as citizen’s juries.¹⁴ However, some scholars doubt on desirability and feasibility of a large scale deliberative system. Other deliberative scholars focus on programs designed to improve the public judgment through carefully designed deliberative forum. For instance, Melville, Taylor, Willingham and Dedrick (2003) show that a growing number of

¹³ Because the conditions of actual democratic politics fall short of substantive standards of free and equal citizenships, it produces unjust outcomes. Deliberative democracy itself exposes the exclusionary biases in democratic practice that undermine the conditions of civic equality that its principles defend (Gutmann and Thompson 2004, 48). Although deliberative democratic theory is not committed to particular institutional reform of this kind, it does call for changes that would eliminate those biases in the political process that derive from unequal wealth and entrenched power (Gutmann and Thompson 2012).

¹⁴ These cases are referred in *Deliberative Democracy: Issues and Cases*.

communities applies the theoretical principles of the forums to frame their own local issues. They show that these communities use deliberation to make thoughtful decisions based on a common understanding of an issue, and the costs and benefits of their shared decision. Second, there are efforts to construct a set of deliberation models that involve governmental agencies. Grimes (2008)'s empirical analysis on the meetings centered around whether to continue construction on a railway tunnel near the town of Båstad in southwestern Sweden. He points out that public deliberations seldom fully satisfy the communicative criteria stipulated in normative theory. However, findings suggest that even imperfect deliberation may have the potential to generate civic goods. Third, there are studies of deliberation programs, which seek to foster more deliberative civic culture. Carole, Kesler and Schwinn (2003) study on civic organizations, learning democratic centers empower ordinary citizens. Potapchuk, Carlson, and Kennedy (2003) show how collaborative initiatives between government and civic organizations promote the community's capacity for effective citizen engagement on public issue.¹⁵

Gutmann and Thompson (2004) argue that

“The future of deliberative democracy depends on whether its proponents can

¹⁵ Examples from *The Deliberative Democracy Handbook*.

create institutions that enable deliberation to work well.”¹⁶

Nowadays, deliberative democrats have hard time creating deliberative institutions since deliberative democrats have not proven its institutional impact. The role of deliberation still remains ambiguous. Generally, there are two main reasons. First, there are lacking connections among empirical-based studies.¹⁷ Second, scholars and practitioners do not communicate consistently.¹⁸ Although there have been various analysis on experiences of deliberation, there is a prevalent distinction between micro and macro strategies for institutionalizing deliberative democracy. In addition to these two reasons, I argue that the role of deliberation have not been clearly stated because scholars conduct their researches without having a specified guiding notion. In order to make deliberative democracy more persuasive, we need to establish a specified notion, in which deliberative system can be successfully integrated to democratic institutions.¹⁹

¹⁶ Gutmann and Thompson, *Why Deliberative Democracy?*, p. 59.

¹⁷ Beste, “Contemporary Trends of Deliberative Research: Synthesizing a New Study Agenda.”

¹⁸ Gastil and Levine, “The Future Direction for Public Deliberation, Deliberative.”

¹⁹ Elstub and McLaverty (2013, p. 6) summarize the definitions of micro and macro deliberation suggested by Hendrik (2006). Micro deliberative democracy focuses on ideal deliberative procedures, within small-scale structured arenas within the state, oriented to decision-making, with impartial participants deliberating together in one place and at one time. Macro deliberative democracy favors informal and unstructured, and spontaneous,

Gutmann and Thompson (1996) try to show the kind of deliberation that is possible and desirable in the face of moral disagreement in democracies. Deliberative democracy is not an alternative model to the existing form of democracy. They argue that the principles of deliberative democracy help sustain a conception of democracy with a capacity for moral improvement. Gutmann and Thompson say that their theory can be a critical tool for assessing the current political problems. They offer some assessments on the U.S legislative cases. In my opinion, their suggestion is passive adjustment of deliberative theory to practical discussions.

In order to realize deliberation well in practice, the complementary relationship between deliberation and the current mechanism should be clearly suggested. Gutmann and Thompson do not suggest a concrete way of institutionalizing deliberation in reality. However, based on the Gutmann and Thompson's deliberative democracy, I believe that we can suggest a useful guideline for deliberative system, which incorporates the external and internal, micro and macro, elite and lay public deliberations with other forms of political activity.

Gutmann and Thompson's deliberative theory depends on a number of

discursive communication that occurs across space and time, aiming at opinion formation, within civil society, outside and often against formal decision-making institutions of the state, with partisan deliberators.

key assumptions regarding the efficacy of deliberation, the nature of political contestation and capacities and inclinations of individuals. In chapter II, I explore the efficacy of deliberation. According to Gutmann and Thompson, a purpose of deliberation is not to find a common goal but to promote mutual respect and produce considered opinions. People tend to avoid deliberation in order to avoid polarization. However, the real danger is rejecting the possibility to solve the problem. Citizens should not be afraid of expressing one's ideas. In long-run, deliberation will promote the deliberation that empowers citizens, and common understanding. In this chapter, I also examine the forms of political activity. In order to build a deliberative system, we have to consider the relationship between deliberation and other forms of political activity. In order to make deliberation coexist with other forms of politics, such as identity politics and participatory politics, compromising mindset and 'deliberative within' should be emphasized in civil society. Chapter III deals with the nature of political contestation. I examine whether the deliberation process deals with moral conflict or with interest conflict. According to Gutmann and Thompson, moral conflict does not exclude interest conflict. Therefore, it is important to build deliberative stages that any interest can be stated. Chapter VI examines the deliberative competency of citizens. Deliberative

democrats are used to distinguishing elite's role and lay people's role. However, I suggest that we should create a joint deliberation, which includes experts and lay citizens at the same time. It helps experts and lay people to check each other. In conclusion, I would like to suggest how an integrated deliberative system contributes to making a sustainable democracy.

II. The Efficacy of Deliberation

The early deliberative democracy scholarship put efforts into achieving justifiable compromise through deliberation as much as possible. However, critics argue that deliberation does not always result in convergence. They suggest that deliberation exacerbates the extremist potential of democratic politics and threaten social harmony. On other hands, some critics argue that deliberative democracy concern too little about other forms of political activity, such as contestation. They point out that demands for consensus and the common good may marginalize members of disadvantaged groups. Several empirical studies show that officials express uncompromising ideas in order to achieve some particular goal in public deliberation.

Moved away from seeking consensus and common good, Gutmann and Thompson state that achieving mutual respect is the most important requirement in deliberation. That means, their argument does not overlook the critics' ideas. Gutmann and Thompson recognize that deliberation does not always guarantee social justice under the current situations when power is distributed unequally and money affects who has access to the

deliberative forum.²⁰ Gutmann and Thompson acknowledge that deliberation should include alternative forms of interaction.²¹ However, deliberative inclusiveness can overstretch the conception of deliberation.²² Instead of adopting alternative forms uncritically, the kind of inclusion may be specified and be carefully adjusted.

1. The Promise of Deliberation

The so-called first generation of deliberative democracy has focused mostly on the benefits of deliberation. For example, in the early philosophical writings of Jürgen Habermas (1991) and Joshua Cohen (1989), both writers emphasize consensus formation. They have hoped that

²⁰ Gutmann and Thompson, *Why Deliberative Democracy?*, p.48.

²¹ In “Contemporary Trends of Deliberative Research: Synthesizing a New Study Agenda,” Beste suggests that there are three desirable trends of deliberative research – the empirization of deliberative theory, the relationship of input, output and outcome of deliberation, and the conceptual opening and inclusiveness of deliberative theory. Following his suggestions, I want to extract certain features of deliberation shared by deliberative democrats.

²² Steiner (2012) focuses on the interplay between normative and empirical aspects of deliberation. He points out that Habermas exclude narratives. He suggests that story-telling happens at both elite and mass level. But he also notices that the deliberative model should not change to the form of story-telling too much.

deliberation might transform individuals who had previously seen a situation from the perspective of “I” come to think as “we.”²³ Gutmann and Thompson also argue that, if politics is the art of the possible, the compromise is the soul of democracy.²⁴ They emphasize the importance of mutual respect and compromising mindset (Gutmann and Thompson, 1996; 2004; 2012). Gutmann and Thompson claim that mutual respect is necessary to sustain any morally justifiable democracy under the modern conditions of deep and persistent disagreement. They argue that the compromising mindset is key to improve on the status quo.

Gutmann and Thompson say that compromise is difficult, but governing a democracy without compromise is impossible.²⁵ They argue that there will be less polarization after public discussion. The following sentences summarize the key idea:

“Deliberative democracy as a form of government in which free and equal which they give one another reasons that are mutually acceptable and generally accessible, with the aim of reaching conclusions that are binding in the present on all citizens but open to challenge in the future (Gutmann and Thompson 2004, pp. 6-7).”

²³ Mansbridge, Hartz-Karp, Amengual and Gastil, “Norms of Deliberation: An Inductive Study,” p.23.

²⁴ Gutmann and Thompson, “Is there room for political compromise in an era of permanent campaigning?”

²⁵ Gutmann and Thompson, *Democracy and Disagreement*; Gutmann and Thompson, *Why deliberative Democracy?*; Gutmann and Thompson, *The Spirit of Compromise*.

Amy Gutmann and Dennis Thompson's *Democracy and Disagreement* is a turning point of deliberative theories. Gutmann and Thompson (1996) take complexity of societies seriously and offer substantive details to strengthen the concept of deliberative democracy. They recognize that a deliberation conceptualized as a decision-making talk is inappropriate. The conception of deliberative democracy consists of three principles - reciprocity, publicity, and accountability - that regulate the process of politics, and three others - basic liberty, basic opportunity, and fair opportunity- that govern the content of policies.²⁶ According to them, this conception of deliberative democracy diminishes the deficit in theory and in politics. Reciprocity is a principle related to how we speak with open-mindedness. Publicity involves the public context of political debate and decision-making. Accountability concerns about the potential conflicts between representatives and their constituents.

Deliberation is a way of achieving 'the economy of moral disagreement.'

Gutmann and Thompson (2012) emphasize the importance of 'compromising mindset.' They claim that systematic rejection of compromise is problematic for any democracy because it favors the status quo. Especially, Gutmann and Thompson point out that a campaign is a

²⁶ Gutmann and Thompson, *Democracy and Disagreement*, p.13.

zero-sum activity. For example, they assess and criticize the inequality case of campaign financing in the United States. Campaign contributions, which come disproportionately from wealthy citizens and well-organized groups, influence who runs for office and the policies. Targeting is the foundation of virtually every aspect of campaign strategy. Campaigning requires directing attention to a party's most likely supporters. When parties enter into negotiations in bad faith, they intentionally misrepresent their opponents' position and refuse to cooperate even on the matters on which they can find agreement.

Gutmann and Thompson (2004) say that the process of deliberative democracy is dynamic. That means, even though citizens do not reach an agreement, they stand a greater chance of finding agreement through deliberation. Practicing the economy of moral disagreement promotes the value of mutual respect because it promotes citizens and their representatives work together and find common ground. Some critics argue that, although a deliberative process that express mutual respect, deliberation produces an unjust outcome. Yet, the coauthors strongly argue that deliberative democracy has a capacity to criticize and correct unjust outcomes.

2. Limits of Deliberation

Some scholars argue that greater amount of information about a policy may result in an increased polarization of public opinion. According to Sunstein (2002), deliberation leads to an increased polarization of beliefs between groups. He suggests three reasons why group talks result in extreme voices. First of all, it is due to an exchange of new information. People are telling one another simply what they know, and this kind of telling is often skewed in a predictable direction. Secondly, corroboration occurs. When people share their view, they become more confident on their views. Third, some people might want to show that they are not timid. The author worries that even if the average view of a large group is likely to be right, a process of deliberation makes distorted opinions.

Like this, in certain circumstances, deliberation may produce a distortion. However, we do not have to conclude that deliberation leads people to go extreme. In order to defend deliberation in practice, we need to specify the idea of deliberation. When assessing this kind of talk by the principles of reciprocity, accountability and publicity, we can conclude that people do not consider other groups' perspective the previous kind of talk. The way of expressing their ideas in group talks seems to be more similar to a targeting in campaign strategy. In this sense, we can critically assess that this kind of

talk results in polarization due to the lack of compromising mindset. While worrying about the negative impacts of group talk, Sunstein mentions that there are also good extreme talks. For example, entrepreneurs, scientists, disabled people, economists and elderly can assemble and discuss their extreme ideas in 'enclave talk,' and they promote learning, creativity, and innovation. These good extreme cases are similar to the deliberation that Gutmann and Thompson have suggested. 'Enclave deliberation' promotes the development of positions that would otherwise be ignored in general debate.

Like Gutmann and Thompson's belief, Sunstein admits that the public forum promotes some important social goals. Group talks can play positive roles when the public forum embraces bipartisan membership. Firstly, speakers can access to a wide array of people. Secondly, speakers can access not only to heterogeneous people but also to whom they have complaint. Third, the public forum allows people be exposed to a wide variety of people and views. Sunstein suggests that bipartisan membership is required for some of the most important institutions.²⁷ Following this argument, the opinion made in enclave deliberation can be checked by exposure to

²⁷ See Sunstein (2008). He lists some important legislative institutions: The National Labor Relations Board, the Federal Communication Commission, the Federal Trade Commission, the Securities and Exchange Commissions, in the United States.

opinions of other enclave groups. In this situation, deliberation plays important role for both identifying one's own idea and sharing it to others.

Some critics point out that there is a tension between sharing different opinions and maintaining integration. For example, Mutz (2006) says that exposure to diverse political viewpoints may be widely advocated in theory, but it is much less popular in actual practice because there is trade-off between promoting deliberation and preserving social harmony. The author suggests that political theorists need to expand their definitions of deliberation beyond the ideal type because the ideal speech is impossible to achieve.²⁸ The author's central concern is with the extent to which people's networks involve like-minded versus non-like-minded discussion partners.

²⁹ According to her,

“Although diverse political networks foster a better understanding of multiple perspectives on issues and encourage political tolerance, they discourage political participation, particularly among those who are averse to conflict (p.3).”

In other words, the author claims that people avoid taking potentially

²⁸ Mutz(2006) questions on Habermas' concept of ideal speech.

²⁹ Network: the people with whom a given person communicates on direct, one-to-one basis.

Contexts: larger entities (neighborhoods, workplaces, cities...) whose characteristics are typically known to the researcher strictly in aggregate form and are known to the individual only in piecemeal form.

controversial positions because there is the tension between promoting a society with participative citizens and promoting respect for differences of opinion. For example, different political opinions are more easily maintained and more beneficially aired with one's dentist than with a close friend or family member.³⁰ This American case is not an exception. Many other cultures also pursue social harmony.³¹ Min (2013) suggests that the Easterners are usually influenced by the social harmony.³² They prefer such communication strategies as integration rather than strategies as strong opinion expression.

Mutz (2006) argues that deliberative theorists have not suggested in concrete terms how people might interact with one another in mixed company while simultaneously pursuing active lives as political citizens. For the solution, Mutz (2006) constructs middle-range theory through

³⁰ Mutz, *Hearing the Other Side*, p. 2.

³¹ Sanders (1997) and Young (2000) also have offered a critique involving cultural issue saying that deliberation is entrenched in the elitist white-masculine culture in which deliberation must be calm and rational.

Min (2014) suggests that the issue of culture is vital to advance deliberation theories and practices. According to him, deliberation theories and research should be expanded so that they can include more cultural sensibilities. In Western Polling, it is to pay more attention to other dimensions of deliberation.

³² Min (2014) suggests that, in Western deliberation scholarship, the main focus has been on deliberation's effect on developing individuality, self-efficacy, and opinion sophistication.

differentiation between normative needs and requirements of successful procedural deliberation and preferable outcomes.

Gutmann and Thompson do not ignore the tension suggested by Diana Mutz. Gutmann and Thompson (2012) differentiate discussions of compromise from the discussion of the two-agent, one-time interaction. They assume that, in deliberation, members maintain continuing relationships with one another, and deal concurrently with a wide range of issues that have multiple parts and long-range effects. They suggest that deliberation is a regularized activity, pursuing long-term goal. From this, we can infer that when people concern about broad range of problems and long-term effects, they need to express their ideas. Social harmony can be achieved through increasing deliberation.

Some skeptics suggest other reasons that deliberation may result in polarization. Stasavage (2007) suggests that the failure of deliberation to reduce polarization of beliefs is due to the public decision making procedure. He investigates the effect of the public versus private decision making on opinion polarization. According to him, the existing work have emphasized that public debate helps to reduce polarization but, when debate takes place between representatives, the polarization increases. Representatives intentionally ignore private information about the true desirability of

different polities because they face incentives to use their actions as a signal of loyalty to their constituents in the public decision making. They intentionally ignore private information about the true desirability of different policies. For this reason, constituents will not alter their prior policy belief in this type of debate. On the other hand, when representatives make policy decision in private, they are more likely to allow private information to influence actions. In addition, Checkel (2005) also describes that, in the EU committee meeting, frank exchanges of information is more likely to occur in private than in public. That is because, when EU committees that hold public sessions, members have a tendency to present prepared speeches. In sum, Stasavage and Checkel implicitly show that publicity hinders making mutual respect. However, meaning of transparency in the cases of Stasavage (2007) and Checkel (2005) is different from Gutmann and Thompson's principle of publicity. Publicity is not merely speaking to others publicly. It should involve the public context of political debate and decision-making. According to Gutmann and Thompson (1996), the publicity principle in government encourages officials to give reasons for their decisions and policies.

Gutmann and Thompson are open to the idea that recent form of deliberation have moved beyond the consensus-centered forms of early

deliberative theory.³³ Gutmann and Thompson say that deliberation does not necessarily entail consensual outcomes. Throughout preference clarification rather than transformation, it increases inter-factional compromises.

In order to avoid polarization, two suggestions can be inferred from Gutmann and Thompson's theory. First of all, it is important to make people to think about wide range of deliberation and long-term effects of deliberation. Secondly, representatives should make their arguments based on the principle of publicity. Without expressing one's opinion, conflicting interests are suppressed rather than clarified.³⁴ A deliberative system requires a culture that explicitly celebrates disagreement as an activity.³⁵ Holt-Shannon and Mallory (2014) believe that effective deliberations may include highly contested positions in which intimidation or bullying can occur. In the future, continued deliberation of clarifying preferences may lead to find mutual benefits.

³³ Chambers (2003) suggests that "Deliberative theory has moved away from a consensus-centered teleology—contestation and indeed the agonistic side of democracy now have their place—and it is more sensitive to pluralism." More generally, she finds that "the exchange between diversity theory and deliberative theory has helped to make the latter more concrete"

³⁴ Karpowitz and Mansbridge, "Disagreement and Consensus: The Need for Dynamic Updating in Public Deliberation."

³⁵ Neisser (2006) offers five principles of disagreement.

Gutmann and Thompson's efforts to economize moral disagreements do not mean deliberation can eradicate moral disagreements. Based on this idea, when we conceive a deliberative system, we should aim not only to resolve moral conflicts but also to accept the existence of disagreement. It may seem time-consuming and inefficient but, in long-run, our efforts to deliberate time and energy spent will be compensated. For instances, the good case of extreme ideas challenges manipulation of power and help to find a common ground. Cross-border talks and public conversations prevent serious injustice. The real danger lies in the rejection of providing a proper deliberative process for solving problems.

3. Forms of Political Activity

Some democrats criticize deliberative democracy for failing to recognize that democratic politics necessarily involves the clash of opposite. Mouffe(2000) argues that a model of democracy in terms of 'agonistic pluralism' can help us to involve the main challenge facing democratic politics today better. He proposes that emphasis on consensus and the refusal of confrontation lead to apathy and disaffection with political

participation. He points out that deliberative democracy model denies the dimension of undecidability and the ineradicability of antagonism, which are constitutive of 'the political.' Young (2001) says that social activists have many doubts about deliberative practice. He claims that the organizers of deliberation overlook situations in which confrontational tactics are more suitable since they define deliberation less rigidly than classic philosophers do. In classic philosophical texts, the writers define deliberation as the essence of democracy that equate it with reasonableness or rationality. Simon (1999) argues that putting too much emphasis on the search for mutually acceptable reasons may undermine political energy of some groups, such as marginalized group. Walzer (1999) claims that a world where political conflict, class struggle, and ethnic and religious differences are all replaced by pure deliberation is not the utopia that any deliberative democrats should defend. Lasse (2007) argues that the idea that Gutmann and Thompson made is marked by undecidability. For instance, reciprocity does not yield 'determinate resolutions' of such case of Mozert.³⁶ He concludes that deliberation process itself does not bring out the better

³⁶ Mozert case is "the case, which started in 1983, involved a number of Christian fundamentalist parents in Hawkins County, Tennessee, who objected to a particular set of school books (the so-called Holt readers) used in the public school their children went to (Lasse 2007, p. 3)."

outcome than the current process based on aggregative mechanism.

As stated above, exclusion is an ongoing problem for democracies. In order to make deliberation more inclusive, many scholars offer alternatives to deliberation. Dryzek (2002) addresses deliberative democracy excessively rely on the state structure as the main locus for decision-making and does not allow arguments on race and gender. Therefore, he prefers democracy to become ‘discursive democracy.’ Ryfe (2005) specifically conceptualizes deliberation to include everyday reasoning habits. Young (1996), Sanders (1997) and Mansbridge (2006) offer alternative forms of deliberation that may go beyond the limitation of deliberation. Young (1996) argues that the process of deliberation should be opened up to participants disadvantaged by traditional elite understandings of “reason-giving” by adding the elements of greeting, rhetoric, and storytelling.³⁷ Sanders (1997) points out that more inclusive talk would add more accessible ways of communicating, including ‘testimony,’ or stating one’s own perspective in one’s own words. Testimony is a statement that gives public voice to a critical stance of some individual or group. It does not need to present a perspective that can be justifiable to other individuals or groups.

³⁷ According to Young (1996), “greeting” is explicit mutual recognition and conciliatory caring, “rhetoric” is forms of speaking, such as humor, that reflexively attend to the audience, and “storytelling” show outsiders what values mean to those who hold them.

In response to these alternative suggestions, Gutmann and Thompson agree that representatives are more likely to arrive at a mutually justifiable political agreement by listening to the testimony. However, they argue that, without deliberation, testimony leaves the difference unresolved. Therefore, they insist that deliberation should be the core in political process, as a method of mediating conflicts.

Moreover, Gutmann and Thompson point out that the critics' arguments also have flaws. They suggest that allowing unlimited activist actions may have negative consequences on other groups or individuals who have not taken part. Based on this idea, it is important to build a deliberative system that allow active civil society while promoting compromising mindset.

Gutmann and Thompson (1996) argue that civil society must remain unstructured in order to allow for free-will formation. For instance, Gutmann and Thompson say identity politics has important role in civil society. In *Identity in Democracy*, Gutmann evaluates the growth of identity politics, including identity politics based on race, gender. Gutmann contends that participation in such associations can have not only a positive impact on individual members but also encourage the development of the reciprocal trust and understanding among citizens, which is critical to the success of deliberative democracy. Rather than trying to abolish identity politics,

Gutmann argues that we need to distinguish between those demands of identity groups that aid justice and those that impede justice. Through deliberation, citizens can modify other activities. It makes more public-spirited in both process and outcome. Allowing free formation of associations in civil society can strengthen the understanding among citizens.

Hendriks (2006) says informal, open, and unstructured deliberation in civil society can shape public opinion and political institution.³⁸ Hendriks promotes an integrated deliberative system.³⁹ He suggests a ‘mixed discursive sphere.’ Hendriks recognizes that deliberation occurs in a variety of public venues and names it discursive sphere.⁴⁰ He claims that a more integrated deliberative system would celebrate the multiplicity of deliberative venues and foster connections between micro and macro strands of deliberative democracy. Therefore, it is important to make an integrated deliberation system.

³⁸ Habermas requires deliberation only in those institutions that are core structures of a constitutionally organized democracy.

³⁹ Jane Mansbridge (1999) suggests that we consider a deliberative system composed of multiple venues for deliberation. Hendriks (2006) finds two limitations in Mansbridge’s theory. First of all, all forms of deliberation along the deliberative systems are not always mutually supportive. Secondly, deliberation is inextricably linked (pp. 497-498).

⁴⁰Macro discursive spheres: mobilization of discourse, activism, protest, boycott
Micro discursive sphere: expert committees, conferences, commissions of inquiry
Mixed discursive sphere: deliberative designs, facilitated town meetings, public seminar

While agreeing that deliberation is desirable in many institutions that deal with major failures in civil society,⁴¹ Gutmann and Thompson also suggest the limits of compromise in the domain of grassroots political movement. However, Gutmann and Thompson (2004) claim that

“Because most citizens live most of their lives in civil society outside of conventional politics, deliberative theorists seek to structure civil society so as to better equip citizens to deliberate in politics (p. 35).”

Therefore, it is important to consider a way, in which citizens can associate freely while improve their deliberation skills. Slightly different from Hendriks’s argument, Gutmann and Thompson implicitly differentiate the role of deliberation in micro deliberative sphere and macro deliberative sphere because an extension could threaten the freedom of citizens and the associations they choose to form.

External deliberation is not always applicable to various forms of associations in civil society. For Gutmann and Thompson, they emphasize ‘compromising mindset.’ In order to promote this mindset, deliberative system should be supported by ‘deliberation within⁴²’ and ‘silence

⁴¹ e.g. The Truth Reconciliation Commission (TRC) case in Africa (Gutmann and Thompson 2004, chapter 6).

⁴² Goodin, *Reflective Democracy*.

yielding'⁴³ in order to make better equipped citizen. The purpose of silences is to transform citizen's attitudes and enhance the quality of deliberations. It can be effectively used to communicate a message, value, agreement and disagreement.

Goodin(2003) and Jungkunz(2013)'s ideas help us to conceive concrete forms of deliberation, which are supportive of actualizing Gutmann and Thompson's concept of compromising mindset. Goodin (2003) offers 'democratic deliberation within' as a solution to the great challenge is how to implement that deliberative ideal among the millions of people at once. He suggests that people simply imagine themselves in the position of various other and ask 'what would they say about this proposal?' He concludes that deliberation after informing the democratic imaginary help people to become more empathetic and more considered. In other words, this kind of internal deliberation makes civil society to become more reflective.

Activism is an inherent part of progressive politics. It is a struggling strategy for inclusion. But as stated, it is another form of exclusion.⁴⁴ In order to solve this irony, Jungkunz(2013) presents the concept of 'silent

⁴³ Jungkunz, "Deliberate Silences."

⁴⁴ Gutmann and Thompson, *Why Deliberative Democracy?*

yielding.’ Especially, the author suggest that the concept of deliberate yielding is important case in LGBT movement. Silences make deliberative democracy can be used as temporary tactics for bringing more voices to the table. For the author, deliberate silences combine intentionality, meaningfulness, thoughtful engagement, and robust commitment to inclusion. Without silences, sociality would break down. By understanding the importance of silence, citizens who simply fight for their own interests can be changed to the direction of common.

Deliberation cannot play an important role in all phases of a political decision process. A deliberative system should promote compromising mindset while allowing various forms of associations in civil societies. Therefore, deliberative institutions should be supported by ‘deliberation within’ and ‘silent yielding’ of civil society. By these processes, excluded voices can be presented and be transformed.

III. The Nature of Political Contestation

Gutmann and Thompson (1996) develop a conception of democracy, in which moral discussion takes a central place. Gutmann and Thompson argue that moral disagreements are unavoidable. They try to show the kind of deliberation that is possible and desirable in solving moral disagreement in democracies. According to them, moral conflict can be resolved through deliberation because deliberation allows individuals seeking second-order beliefs. They argue that the principles of deliberative democracy help sustain a conception of democracy with a capacity for moral improvement.

However, Bell (1999) claims that many important political issues are not the in area of moral disagreement. Shapiro (1999), Mansbridge (2010), and Goodin (2005) believe that economic interest might be the cause of political conflict. Furthermore, Cohen and Rogers (2003) agree that statements of self-interest can play an important and legitimate role in deliberation.

It is important to notice that public good should be not be controlled by money or power. It is important to differentiate between the political institutions controlled by self-interest and the political institutions that controlling self-interest. Gutmann and Thompson suggest that deliberative

democracy makes ample room for bargaining. Bargaining is a deliberatively legitimate way of resolving political conflicts that would otherwise remain unresolved. Gutmann and Thompson offer political process, which can be summarized as following: deliberation first and bargain. If suitably constrained, self-interests ought to be part of the deliberation that eventuates in a democratic decision.⁴⁵ In addition to Gutmann and Thompson's idea, many scholars think that stating self-interest during deliberation is important. Self-interest may not be a dominant player but it should be clearly stated in deliberative process in order to share what citizens want.

1. Moral Conflict

Many normative theorists have emphasized the power of deliberation to transform individual participants' perceptions and even identities in the direction of the common good. They believe that legitimating self-interest undermines the capacity to inspire transformations in the direction of the common good.

Gutmann and Thompson (1996) mainly concern about "why moral

⁴⁵ e.g. Mansbridge et al (2010).

conflict cannot be avoided in politics, and what should be done about it,” as subtitle states. They address that the problem of moral disagreement is the most formidable issue because, while the content of particular disagreements shifts over time, moral disagreement is an unchanging condition of democratic politics. Therefore, their theory on deliberative democracy takes moral disagreement seriously for the principles and practices of democracy. Hume suggests that if social resource are less scarce and human nature are more generous, moral conflict would not happen. In addition to Hume’s two circumstances of moral conflict, they add incompatible values and incomplete understanding in definition of morality. They argue that, even if self-interest influences the positions that citizens take in dispute, it does not completely determine them. Even if economic interest correlated perfectly with political positions, the issue would not be reducible to economic interest.

Gutmann and Thompson (1996) insist that deliberators should make only arguments that treat all citizens as equals. They would exclude appeals to various religious views and to principles such as economic liberty. Gutmann and Thompson (1996) argue that a political system based on deliberative democracy will increase public-spirited behavior and lead citizens to look beyond their narrow self-interest.

Gutmann and Thompson differentiate reciprocity from prudence and impartiality.⁴⁶ Gutmann and Thompson argue that deliberative democracy must make room for political bargaining. But they state that the principle of prudence cannot be the principle that ultimately governs disagreement in a democracy. On a bargaining, citizens do not have any reason to promote the well-being of other citizens and care only about their own interests.⁴⁷ On the other hand, the goal of establishing a comprehensive view is not confined to impartiality since toleration does not provide positive basis on which citizens can expect to resolve their moral disagreements in the future. Together, they emphasize that principled prudence and mutual respect increase the chances that the general value of compromise.

Gutmann and Thompson (1999) argue that the aim of a deliberative process is not necessarily to coerce citizens to change their first-order moral

⁴⁶ Table from Gutmann and Thompson (1996, p53).

Principle	Justification	Motive	Process	Goal
Prudence	Mutually advantageous	self-interest	Bargaining	Modus vivendi
Reciprocity	Mutually acceptable	Desire to justify to others	Deliberation	Deliberation agreement/disagreement
Impartiality	Universally justifiable	altruism	Demonstration	Comprehensive view

⁴⁷ Gutmann and Thompson, *Democracy and Disagreement*, p. 73.

beliefs. It is rather to encourage them to discover what aspects of those beliefs could be accepted as principles and politics by other citizens, who hold fundamentally different perspectives. Since it is this second-order agreement that citizens should seek, individuals do not have to trade-off their personal moral views against public values. However, citizens should not expect to resolve all moral conflicts. The resolutions are partial and tentative. It is clear that deliberative democrats have no special access to moral truth and no special authority to impose their own judgments about moral truth on other people by means of laws and policies.

Some people raise a question on making compromise of moral principles. George Santayana captures the dual nature of the aversion felt toward compromise of moral principles.⁴⁸ First of all, it may bring out the feeling of surrender. Secondly, the confusion is almost impossible to avoid. Some skeptics point out that deliberation undermines political stability because deliberative democracy opens all principle and practices to challenge on moral terms. Wertheimer (1999) suggests that Gutmann and Thompson underemphasize the difference between deliberation and accommodation. Galston (1999) argues that toleration is the best way to deal with religious difference. Margalit(2009) supports compromises that permit cruelty and

⁴⁸ Gutmann and Thompson (2004), p. 36.

humiliation for an entire generation if the long-term benefits are great enough.

According to Gutmann and Thompson (2004), those criticisms misconstrue the practical implications of provisionality. Deliberative democracy recognizes that constitutional rights should be more insulated than ordinary laws. However, it does not mean that a claim of constitutional right should be completely insulated from deliberation. They suggest that the degree of institutional insulation depends on the degree of confidence that people of any particular generation are reasonable to make justifications.⁴⁹ It is considerable merit of deliberative decision making process that it is open to change over time, providing a self-correcting capacity of deliberative mindset, and promote desirable compromise.

2. Interest Conflict

Shapiro (1999) argues that Gutmann and Thompson do not pay attention to the ways that moral disagreements are shaped by interest and power. He suggests that debates, such as health care reform, are easily dominated and

⁴⁹ Gutmann and Thompson (2004), p.54.

controlled by special interests, which fund misleading public relations campaign. Przeworski (1998) says that communication is costly. Deliberation can occur only if someone pays for it.⁵⁰ Somin (2010) suggests that private-sector decision makers have much stronger incentives to acquire information and evaluate rationally. Therefore, Somin suggests that transferring more decisions to the private sectors is important to reduce the range of issues that each citizen must consider.

Public good should not be controlled by money or power. However, in reality, we cannot eradicate the power of economic interests. Anderson and Hansen (2007) present result from a Danish national Deliberative Poll on the single European currency.⁵¹ Four research questions are analyzed: openness and access, the quality of deliberation, efficiency and effectiveness, publicity and accountability. From the participants' responses, the authors suggest that deliberative process increase in level of knowledge and an improved ability to form reasoned opinions. A mutual understanding on the subject matter prevailed among the participants. However, at the same time,

⁵⁰ Przeworski (1998) claims that deliberation can occur only if someone pays for it. "Deliberation can be effective only if there is inequality, either of access to specific information or of calculating capacity. Add a dose of self-interest, and the mixture will reek of "manipulation," "indoctrination," "brainwashing," whatever one wants to call it (p. 148).

⁵¹ Anderson & Hansen follow Fishkin (1990)'s claim that the Deliberative Poll is a quasi-experiment related to deliberative democracy.

self-interest and domination also appeared during the deliberative process.

According to Anderson and Hansen's analysis, self-interest is not dominant in the process but the use of self-interest is not eliminated from the Deliberative Poll on the euro. They argue that the use of arguments based on narrow self-interest and the presence of dominating participants are also a part of the deliberative process. For example, understanding self-interest of participants helps to understand the different factors behind Denmark's participation in the single currency and increased responsiveness towards the argument of others.

Gutmann and Thompson suggest that deliberative democracy need to make ample room for bargaining. They consider bargaining as a deliberatively legitimate way of resolving political conflicts that would otherwise remain unresolved. Gutmann and Thompson offer a two-staged process - deliberation first and bargain. It can be a guide notion for a deliberative system that incorporates other process of political mechanisms, such as negotiation and bargaining. A deliberative system should include self-interest in deliberation. In order to increase feasibility and desirability, deliberative process should be designed in a way that self-interest ideas become public and clearly stated.

Similar to the idea that the second-order moral principle consistently

changes, self-interest does not imply they are static. Even one's interests can change with one's identity and one's own experience (Cohen and Rogers, 2003). Mansbridge (2003) tries to include greater normative role for self-interest. The author suggests that deliberations should make participants aware of their own interests, the interests of others, and the interests of the polity as a whole. Without considering the all these kinds of interests, the pressure to frame one's argument in terms of the common good can distort participants' understandings of the issue, making it difficult to resolve that issue through legitimate bargaining. In order to make a deliberative system, which is able to manage both moral conflicts and interest conflicts, we need to suggest a detailed process.

Mansbridge *et al* (2010) develop a three-staged process. In order to deal with the complicated situations, deliberation needs to proceed 'pre-deliberation,' 'full-deliberation,' and 'negotiation.' In the first pre-deliberative stage, participants can talk about any interest. This stage helps to understand themselves. At the second stage of full-scale deliberation, individuals, who have both common and conflicting interest, deliberate with one another. In this process, people may also understand whether their self-interests can be reasoned by moral arguments or not.

Based on Gutmann and Thompson's argument, a deliberation should be

guided by a notion that deliberation should come first, and bargain later. Only throughout deliberation, the fundamental problems can be resolved. However, in deliberation process, people do not have to solely articulate moral arguments. In other words, it is important to provide a stage that any interest can be clearly stated.

IV. The Problem of Deliberative Competence

According to Gutmann and Thompson (1996), when people satisfy the principles of reciprocity, publicity and accountability, people can facilitate debate over fundamental moral values without requiring individuals to concede fundamental questions. They assume that each citizen is accountable to all in a deliberative forum. That means, Gutmann and Thompson have high expectation on lay people's deliberative competency. For them, deliberative competency is a matter of education. They argue that democracy cannot thrive without a well-educated citizenry.

Some critics argue that deliberation may be a burdensome activity. In general, deliberative democracy may impose two requirements on voters. First, citizens must have empirical knowledge of the policy issues. Second, the citizens need philosophical knowledge.⁵² Many scholarly articles, such as Rosen (1996) and Rosenberg (2006) questions on lay people's deliberative competence. Bell (1999) argues that deliberation is an elite activity. Critics argue that social and economic disadvantages of members of marginalized groups have diminished their capacity for deliberation.

⁵² Somin, "Deliberative Democracy and Political Ignorance."

Gutmann and Thompson also admit that there are differences in deliberative ability among individuals but they argue that the deliberative principle of accountability help compensate for the differences. They offer structuring group discussions, which allow jurors considering evidence instead of simply voting. In deliberation, role of the expertise is important. Experts provide scientific and technical information. However, we should not make distinction between the role of expertise deliberation and that of lay public. Deliberation should include both expertise and lay people at the same time, allowing them to deliberate together and hold each other in check.

In addition, not only by receiving formal education but also by attending deliberative forum, people can get deliberative competency. We need to understand that forum is educational.

1. Democratic Education

Gutmann and Thompson have high expectations on citizens. They understand lay people as citizens who have democratic virtues, political knowledge, and discussion skills. The coauthors recognize that democracy cannot thrive without a well-educated citizenry. Gutmann and Thompson

(2004) say the school system in a democracy appropriately aims to prepare children to become free and equal citizens, and therefore, it constitutes one of the most important sites of rehearsals for deliberation. They argue that

“Publicly supported and publicly accredited schools should teach future citizens the knowledge and skills needed for democratic deliberation (Gutmann and Thompson 2004, pg. 35).”

This idea lead Gutmann and Thompson try to build political and educational infrastructure. In *Democratic Education*, Gutmann emphasizes the role of democratic education. According to her, political education is the cultivation of the virtues, knowledge, and skills necessary for political participation.

Gutmann and Thompson (2004) claim that critics tend to overlook the fact that disadvantaged groups are able to find representatives who are as effective at articulating their interests and ideals within their own ranks. The lack of political success of marginalized groups does not stem from a lack of deliberative competency, but rather from a lack of power (p. 50). In other words, Gutmann and Thompson suppose that people, even in marginalized groups, have equal levels of deliberative competency.

Unlike Gutmann and Thompson’s optimistic view, some scholars question on lay public forum. They argue that certain type of people deliberate better than others. Jeffrey Rosen (1996) concludes that Gutmann

and Thomson have imposed an impossible burden on democratic leaders and citizens.⁵³ Rosenberg (2006) examines the quality of citizen's deliberation and concludes that people typically do not have the capacities to meet the basic analytical capacity, rational evaluation, and communicative competence. As a result, their deliberations are unlikely to be deliberative, democratic or productive. Bobbio (2010) discusses the effect of symmetrical models, depending on the degree of information and expertise of the different types. In his two models of asymmetrical deliberation, he argues that competence differences are revealed among participants. Experts, activist, and politicians make more resolute positions than ordinary citizens.

To sum up, Gutmann and Thompson maintain optimistic view on developing citizen's deliberative competence. They assume that people get deliberative skills through democratic education. This condition will be achieved in future. To achieve this a short run, disciplining a structured form of deliberative statements may help lay citizen getting deliberative

⁵³ In his critical review of *Democracy and Disagreement*, Jeffrey Rosen concludes that the authors have imposed an impossible burden on democratic leaders and citizens: "The authors deserve credit for their ambitious attempt to bridge the gap between high political theory and messy public policy... but their constitution of deliberative democracy is too rarified... to be negotiated by citizens or scholars in the rough real world" ("In search of Common Ground," *New York Times Book Review*, December 29, 1996, p. 21).

competency. For example, Adams (2014) suggests three essential parts of reason-giving: a speaker needs to offer conclusion, evidence to support conclusions, and an explanation for how the evidence leads to the conclusion. He claims that a critical part of reason-giving is tying evidence to conclusions.⁵⁴ It is not problematic when participants share common background knowledge. However, that is not a usual situation and a warrant is needed to be explicitly stated when participants have different backgrounds.⁵⁵ The author claims that moderators can enhance the quality of reason-giving by asking deliberators to draw conclusions and encouraging them to think about causal connection.

Gutmann and Thompson argue that education is important for citizens to increase deliberate competence. In addition to providing formal education on deliberation, it would be helpful to discipline citizens a specific way of reason-giving.

⁵⁴ Toulmin (2003) calls a warrant, statements that authorize the steps that an argument commits us to.

⁵⁵ According to Adams (2012), warrants generally take four types. First, conditional warrants explains how implementation of a proposal will lead to some desired outcome. A second type of warrant is analogy. Warrants can also take the form of value statement. The identification of a core political argument can serve as a warrant.

2. Expert Deliberation

Bell (1999) argues that Gutmann and Thompson do not consider the preconditions for successful implementation of their deliberative principles. Bell says that talented elites, who have the motivation and the ability to understand and apply moral principle to political controversies, are more likely to participate and actualize constructive deliberation. The author assumes that not all citizens have the same capacity to apply principles of deliberation. He argues that, since the United States lacks the preconditions for deliberative democracy, the chances for institutionalizing deliberative democracy seem remote from the reality. He argues that defenders of deliberation would better institutionalize an elite deliberation called ‘House of Scholars.’

In response to the critic, Gutmann and Thompson claim that Bell’s conception of the House of Scholars rejects the basic principle of deliberative democracy. First of all, the elite deliberation does not try to justify their decisions to anyone but their colleagues. Secondly, it implicitly rejects the principle of reciprocity. Gutmann and Thompson claims that

“Our understanding aims at a society of free and equal citizens and requires principles of reciprocity, publicity, and accountability (Gutmann and Thompson 1999, p. 257).”

It is important to remind that deliberative democracy should be no less democratic than deliberative.

According to Gutmann and Thompson,

“Reciprocity asks that our empirical claims in political argument be consistent with reliable methods of inquiry, as these methods are available to us here and now, not for all times and places. Neither relativity nor uncertainty is grounds for abandoning the most reliable methods of inquiry at our collective disposal. By using the most reliable methods of inquiry, we demonstrate our mutual commitment to reach deliberative agreement in the empirical realms that are relevant to moral argument, (1996, p. 15).”⁵⁶

Although they do not clearly state the role of expertise, Gutmann and Thompson suggest that deliberation needs to be informed by appropriate empirical evidence. Therefore, a deliberative system should be a process, which is provided by appropriate information. In this sense, the role of expertise should be specified.

Warren (2002), Bohman (2000) and Brown (2013) describe the limited roles of elite in deliberation. According to Brown (2013), Mark Warren claims that, by encouraging flat organizational structures, deliberative democracy improves the flow of information and increases socially available knowledge. For him, experts need to establish their authority on

⁵⁶ Brown (2013) also quotes this line (pg. 53).

epistemic grounds, on the basis of which warranted trust in expertise can develop (Warren 2002, p.195). However, Brown (2013) points out that, when popular translation efforts by experts is emphasized, lay people remain passive with respect to expert claims. Also, it is not an easy task for experts to persuade large segments of the general public.⁵⁷ James Bohman suggests that the division of labor can be democratic and deliberative in two steps. First, expertise need not undermine public deliberation. Secondly, the potential dilemmas of mediated communication can be solved in the same way as the expertise. However, Brown claims that there is no need to trade-off between democratic deliberation and expert effectiveness. In a public sphere, hierarchy or deference to authority is not necessary in deliberation and the boundaries between expert and the lay public need to be connected.⁵⁸

Brown (2013) suggests that deliberation is an alternative to ignorant mob rule and to technocratic rule by experts. Mostly lay citizens are able to reach reasonable decisions when they have opportunities to discuss their interest, opinion, and experiences. Still, lay citizens do not have scientific knowledge. Therefore, they recognize value of specialized knowledge about a particular topic. However, they also need to be cautious about information provided by

⁵⁷ Brown (2013), pp. 51- 58.

⁵⁸ Brown (2013).

expertise. For example, in the US abortions debate, pro-choice and pro-life are supported by different kinds of expertise. That means, expertise can never answer basic moral and political questions. Therefore, a joint deliberation is necessary. This kind of dynamics between experts and citizens is suggested in Hendriks (2002)'s analysis of the experience of a citizen's jury held in NSW on the controversial Container Deposit Legislation (CDL). In the forum, interest groups are asked to play the expert role. They engage readily in arguments around scientific facts. On the contrary, citizens get an opportunity to express for the subjectivity and value judgments. By this process, scientific claims are exposed and challenged.

According to Gutmann and Thompson's argument, deliberation should be democratic. Deliberation should allow lay peoples' participation. Gutmann and Thompson mention that experts must translate their knowledge into ordinary language in order for experts to inform deliberation. Following this argument, a deliberative system should include a process, in which ordinary people can get scientific and technical information. Experts may provide information but they cannot be asked to provide decisive answers because expertise knowledge does not give a definite answers to ethical questions. Lay citizens should critically assess the arguments made by experts. A tentative solution can be made by a joint forum.

3. Educational effect of Forum

According to Gutmann (1999), she argues that democratic education will not be fully realized until citizens have opportunities to exercise discretion in daily works and to participate in democratic politics. Gutmann claims that we should not conclude that formal education is prior to democratic politics. In order to support this claim, it is important to understand that forum itself have educational impacts. By attending forums, citizens learn about local issue as well as public issues and become more interested to think about the policy. Also, people distributes informative materials in forum. People develop their deliberative skills by practicing deliberation.

First of all, citizens keep learning local and public issues from forums. Some practitioners develop a model for learning and practicing deliberation throughout neighborhoods, cities and towns, states, school districts, college campuses, and other communities For example, Scully and McCoy (2003) explain how the Study Circles Resource Center plays a leading role in connecting deliberation to individual and community, making institutional and policy change in the United States. David Mathews (2014) says that the most powerful insight from the NIF experiment has been the recognition that democracy depends on constant learning. Deliberation is a form of learning.

Secondly, people turn their attentions and take time to think about certain issues. Goodin and Niemeyer (2003) argue that internal reflection might be more important than deliberative democrat's heavy emphasis on the discursive components. According to their research, people were asked to discuss policy options for the Bloomfield Track, a controversial unimproved road running through the Daintree rainforest in the Wet Tropics World Heritage.⁵⁹ On one hand, proponents of the track have consistently appealed to the need for access of the Bloomfield community. On the other hand, detractors have steadfastly emphasized its direct impact on rainforest and the symbolically important abutting reefs. Five policy options were provided: (1) Bituminize, upgrading the track to two-wheel-drive, all-weather standard, (2) upgrade the track to a dirt road suitable for two-wheel-drive vehicle, (3) stabilize the track, fixing specific trouble spots but leaving it as a four-wheel-drive track, (4) status quo, maintaining the track in its present conditions as a four-wheel-drive roadway, and (5) close the track and rehabilitate the area. According to Goodin and Niemeyer, the last option was at the least preferred at first but a change in preference occurred. At the end, people strongly prefer closing the track had occurred. In order to find

⁵⁹ The authors get evidence from 'citizen's jury' convened on the Cairns campus of James Cook University in January 2000.

possible factors for the change, jurors were asked to rank four possible factors - learning more, listening witness, shift in perspective, and group discussion - in order to find why people change their mind. For this question, more than 75 percent of people answered 'learning more' about the track and 'listening to witness' were the most important factors. That means, deliberation offers participants a chance to care for the community.

Thirdly, forum distributes informative materials. For example, briefing books might be prepared by sponsors of American presidential debates in consultation with the stakeholders involved. Munno(2014) presents an empirical evaluation of the co-production of a "Statement to the Candidate" and a "Voice Guide" for a key U.S Congressional race. Citizens produced these materials during an intensive process called "Reclaim of November Ohio," which used the Citizen Jury method of public deliberation. The study shows that co-production in the political and electoral arena affect positively on citizens' perception of politics and knowledge.

Lastly, forum procedure itself is developing. Many empirical scholars claim that forum procedure greatly affects the quality of deliberation.⁶⁰ Yet,

⁶⁰ Karpowitz and Mansbridge (2003) claim that a flawed deliberative process yields a premature consensus. The coauthors conclude that any meaningful and legitimate representation or synthesis of the results of deliberation should take into account the complexity of the discourse that is produced in such settings. O'Doherty, Hawkin and

the processes of forum are not fully developed.

Based on experience, various forums learn more about how to create high-quality forums, which provide the public with a stronger voice in decision making.⁶¹ According to Heierbacher (2014), collaborations with government are increasing. In the past, many practitioners worked outside of government. This has been gradually changing with innovations like the Citizens Initiative Review and Participatory Budgeting. These kinds of programs are adopted by local and state governments and collaborative works are increasing. Moreover, people utilize technology to develop online tools for deliberation, members and funding for forum consistently increase.

⁶²

In sum, Gutmann and Thompson emphasize that democratic deliberative competence cannot be fully developed without experience to participate in

Burgess (2013) argue that the results of a deliberative forum are best conceptualized by three distinct factors - the initial framing and structuring of the deliberation, the facilitation process, and the final collation and analysis of materials by an analyst or host of the deliberation.

⁶¹ Heierbacher, "The Next Generation of Our Work."

⁶² According to Hierbacher (2014), AmericaSpeaks, the Deliberative Democracy Consortium, Everyday Democracy, the National Issues Forum Institute, the National Coalition for Dialogue& Deliberation, and the University of Arizona's National Institute for Civil Discourse organized dialogues in the name of Creating Community Solution and took part of Obama's National Dialogue on Mental Health. Consistently it is growing.

deliberation. Although the effect of deliberation is not proven by measurement, the number of forums are increasing and processes of forums are evolving. People learn how to deliberate from deliberation.

V. Conclusion: Toward a Sustainable Democracy

Deliberative democracy allows strong and slow democracy.⁶³ Strong democracy suggests a way of life. Slow democracy is not a call for longer time meeting but a care for empowered community.⁶⁴ Deliberation allows citizens to actively state their ideas and to find solutions for mediating conflicts in their communities. It is a solution to the problems of contemporary fast-track democracy. Amy Gutmann and Dennis Thompson suggest that deliberative democracy affirms the need to justify decisions made by citizens and their representatives. Deliberation allows citizens and their representatives to continue to reason together when they face moral disagreements. Even though those moral conflicts are not resolvable, deliberation is more likely than aggregation to produce justifiable agreement in the future and to promote mutual respect when no agreement is possible.

⁶³ Haas, 2014. The concept of slow democracy took its cue from the slow food movement's principles of localism, community engagement, and sustainability. According to Haas(2014), Clark& Teachout (2012) describe juxtapose how top-down forms of political decision making often replace citizen deliberation much in the same way that the fast food industry has replaced sustainable and local food systems. They both pushes for more self-governing and local processes that are inclusive, deliberative, and citizen-powered.

⁶⁴ Clark& Teachout 2012, xxii.

Gutmann and Thompson argue that deliberation should be extended throughout the political process. They call it the land of middle democracy. They say deliberation should not be confined to constitutional conventions.

“Supreme Court opinions, or their theoretical analogues. The forums of deliberation in middle democracy embrace virtually any setting in which citizens come together on a regular basis to reach collective decisions about public issues—governmental as well as nongovernmental institutions. They include not only legislative sessions, court proceedings, and administrative hearings at all levels of government but also meetings of grassroots organizations, professional associations, shareholders meetings, and citizens’ committees in hospitals and other similar institutions (Gutmann and Thompson, 1996).”

According to the authors, deliberation is not just another activity on the list because it leads citizens to modify and improve other activities – making the routines of bargaining, campaigning, voting, and other important political activities more public-spirited in both process and outcome.⁶⁵ Gutmann and Thompson address that, although deliberative democratic theory is not committed to particular institutional reform, it eliminates biases that derive from unequal wealth and entrenched power in the political process (Gutmann and Thompson 2012).

In my opinion, Gutmann and Thompson underestimate the role of their deliberative theory. Gutmann and Thompson do not suggest a concrete form

⁶⁵ Gutmann and Thompson (2004), pg. 56.

of a deliberative system. Nonetheless, I suggest that their deliberative theory should guide the institutionalization of deliberative institutions actively. If we keep making efforts on developing deliberative system based Gutmann and Thompson's deliberative theory, we will finally offer a deliberative system that gives a remedy to the problems of aggregative mechanisms.

The central criterion of deliberation is 'mutual justifiability.'⁶⁶ In reality, people tend to avoid deliberation in order to avoid polarization. However, the real danger lies in rejection of seeking a solution, even it is tentative. Deliberation includes listening, learning and understanding diverse opinions. Continued deliberation of clarifying preferences may lead to find mutual benefits. In other words, in long-run, deliberation will promote the deliberation that empowers citizens, and common understanding.

The second characteristic of deliberative democracy is that the process should be accessible to all the citizens.⁶⁷ It is related to the principle of publicity. In order to build an integrated deliberative system, we have to consider the relationship between deliberation and other forms of political

⁶⁶ Gutmann and Thompson 2004, p. 3.

In addition, Mansbridge(2006) suggests that "free flow" brings those together in a way that is efficient and understandable. This free flow required lowering the barriers to frank speech through a level of comfort with the situation that encouraged openness, a sense of safety, and the capacity for mutual challenge.

⁶⁷ Gutmann and Thompson 2004, p. 4.

activity. Therefore, in a deliberative system, deliberative institutions should be supported by ‘deliberation within’ and ‘silent yielding’ from the civil society.

The third characteristic of deliberative democracy is making a decision that is binding for some period. In this respect, Gutmann and Thompson (2004) claims that “the deliberative process is not like a talk show or an academic seminar (p. 5).” It helps citizens to find common ground in complex societies comprising heterogeneous religious, political and ethnic identities.

A deliberative system should be supported by specified forms of deliberation. First of all, bipartisan membership is important in order to check each position’s extreme voice. Second, the role of ‘deliberation within’ and ‘silent yielding’ should be understood. Third, a deliberative system should allow any interest to be stated. Finally, it is important to institutionalize a joint public forum that involves both expertise and lay people at the same time. As more forums are held, people get more deliberative competency. A deliberative system makes participants aware of implications of their own interests, the interests of others, and the interests of the community. People can transform their interest in state of reflection, change policy by deliberating issues, and promote social integrity by

compromising mindset. Although its effects have not proven by a precise measurement, forums are increasing and their processes are evolving. We learn deliberation through deliberation. Gutmann Thompson's conception of deliberative democracy helps us to build a deliberative system that preserves understanding and respecting among democratic citizens.

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국문 초록

지속가능한 민주주의를 위한 토의제도

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본 논문은 토의 민주주의에 대한 다양한 논쟁을 살펴보고, 에 이미 거트만과 데니스 톰슨의 토의 민주주의론을 바탕으로 실현 가능한 토의제도를 구상해 보고자 한다. 토의 민주주의는 정치철학에서 핵심적인 위치를 차지해 왔으며, 민주주의의 지속가능성을 확보하기 위한 방안으로 발전해왔다. 존 롤스와 위르겐 하버마스의 이론작업을 시작으로 하여, 최근에는 다양한 토의 제도의 실험연구와 경험연구가 진행되고 있다. 하지만 이러한 연구들은 구체적인 원칙과 방향을 기반으로 하지 않고 이루어 지고 있기 때문에, 연구 결과의 함의와 연구들 간 연계성을 찾는 것이 어렵고 현대 민주정치에서 토의제도가 갖는 가치가 무엇인지 명확하게 보여주지 못하고 있다. 이에 따라, 토의가 과연 현대 민주주의 문제에 해결책을 마련할 수 있는 방안인지 의심하는 목소리가 커지고 있다. 토의 민주주의는 현대의 정치적 위기를 극복하려는 시도로 그 의의를 인정받고 받았지만, 토의 민주주의론이 앞으로 더 발전하기 위해서는 토의의 실질적 제도화 방안을 마련할 수 있어야 한다.

거트만과 톰슨은 도덕적 불일치를 도덕적 불일치를 극복하기 위한 대안으로 심의민주주의를 제안하고 있다. 거트만과 톰슨이 제안하는

중간수준의 토의 민주주의는 제헌회의나 연방대법원의 논의에 국한되지 않고, 정치의 전 과정으로 확장될 것을 요구한다. 거트만과 톰슨이 제시하는 토의민주주의는 절차적 원칙과 실질적 원칙들을 모두 포함하고 있다. 정치과정을 규제하는 중요 원칙들로 상호성, 공개성, 책임성을, 그리고 정책 내용을 규제하는 원칙들로 기본적 자유, 기본적 기회, 공정한 기회를 제시한다. 거트만과 톰슨을 이를 통해서, 모든 시민이 잠정적으로나마 인정할 수 있는 정당한 결정을 할 수 있게 도와 준다고 주장한다. 거트만과 톰슨은 자신들이 제시한 토의 원칙이 모든 정치 과정을 평가하고 비판하는 역할을 할 수 있다고 제시한다. 하지만 거트만과 톰슨은 구체적인 토의 제도를 제시하지 않고 있다.

따라서, 이 논문에서는 거트만과 톰슨의 토의 민주주의론과 그들의 이론에서 파생된 논의들을 연계하여 토의의 원칙을 살펴보고, 다양한 경험 연구의 결과를 재평가하여, 현실 정치 체제에 필요한 토의 제도를 제시해 보고자 한다. 이러한 토의제도는 시민들이 서로를 이해하고 존중할 수 있는 민주정치를 형성하는 기반이 될 것이다.

주요어: 토의 민주주의론, 토의제도, 도덕적 불일치

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